



**Service of Process
Transmittal**

12/29/2020

CT Log Number 538808098

TO: ANTHONY SONNETT
Lewis Brisbois Bisgaard & Smith LLP
633 W 5TH ST STE 4000
LOS ANGELES, CA 90071-2074

RE: Process Served in Massachusetts

FOR: American Honda Motor Co., Inc. (Domestic State: CA)

ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:

TITLE OF ACTION: Richard Adams, Pltf. vs. AMERICAN HONDA MOTOR COMPANY, INC., Dft.
Name discrepancy noted.

DOCUMENT(S) SERVED: -

COURT/AGENCY: None Specified
Case # 2073CV00836

NATURE OF ACTION: Product Liability Litigation - Breach of Warranty

ON WHOM PROCESS WAS SERVED: C T Corporation System, Boston, MA

DATE AND HOUR OF SERVICE: By Process Server on 12/29/2020 at 09:27

JURISDICTION SERVED : Massachusetts

APPEARANCE OR ANSWER DUE: None Specified

ATTORNEY(S) / SENDER(S): John P. Wilton
KECHES LAW GROUP, P.C.
122 Dean Street
Taunton, MA 02780
508-822-2000

ACTION ITEMS: CT has retained the current log, Retain Date: 12/29/2020, Expected Purge Date:
01/03/2021

Image SOP

Email Notification, Jemmy Renaud jemmy_renaud@ahm.honda.com

Email Notification, ANTHONY SONNETT Anthony.Sonnett@lewisbrisbois.com

Email Notification, Sherry Young sherry.young@lewisbrisbois.com

REGISTERED AGENT ADDRESS: C T Corporation System
155 Federal Street
Suite 700
Boston, MA 02110
866-665-5799
SouthTeam2@wolterskluwer.com



**Service of Process
Transmittal**

12/29/2020

CT Log Number 538808098

TO: ANTHONY SONNETT
Lewis Brisbois Bisgaard & Smith LLP
633 W 5TH ST STE 4000
LOS ANGELES, CA 90071-2074

RE: Process Served in Massachusetts

FOR: American Honda Motor Co., Inc. (Domestic State: CA)

The information contained in this Transmittal is provided by CT for quick reference only. It does not constitute a legal opinion, and should not otherwise be relied on, as to the nature of action, the amount of damages, the answer date, or any other information contained in the included documents. The recipient(s) of this form is responsible for reviewing and interpreting the included documents and taking appropriate action, including consulting with its legal and other advisors as necessary. CT disclaims all liability for the information contained in this form, including for any omissions or inaccuracies that may be contained therein.

DOCKET HISTORY:

DOCUMENT(S) SERVED:	DATE AND HOUR OF SERVICE:	TO:	CT LOG NUMBER:
Letter	By Regular Mail on 08/19/2019 at 11:39 postmarked on 08/16/2019	Tanya Cyre Honda North America, Inc.	536081210

Commonwealth of Massachusetts

BRISTOL, ss.

TRIAL COURT OF THE COMMONWEALTH
SUPERIOR COURT DEPARTMENT
CIVIL DOCKET NO. 2073CV00836

RICHARD ADAMS, PLAINTIFF(S),

v.

AMERICAN HONDA MOTOR COMPANY, INC., DEFENDANT(S)

SUMMONS

THIS SUMMONS IS DIRECTED TO AMERICAN HONDA MOTOR COMPANY, INC. (Defendant's name)

You are being sued. The Plaintiff(s) named above has started a lawsuit against you. A copy of the Plaintiff's Complaint filed against you is attached to this summons and the original complaint has been filed in the Bristol Superior Court. **YOU MUST ACT PROMPTLY TO PROTECT YOUR RIGHTS.**

1. **You must respond to this lawsuit in writing within 20 days.** If you do not respond, the court may decide the case against you and award the Plaintiff everything asked for in the complaint. You will also lose the opportunity to tell your side of the story. You must respond to this lawsuit in writing even if you expect to resolve this matter with the Plaintiff. **If you need more time to respond, you may request an extension of time in writing from the Court.**
2. **How to Respond.** To respond to this lawsuit, you must file a written response with the court and mail a copy to Plaintiff's Attorney (or the Plaintiff, if unrepresented). You can do this by:
 - a. Filing your **signed original** response with the Clerk's Office for Civil Business, Bristol Superior Court, 441 County Street, 1st Floor, New Bedford, MA 02740 (address), by mail or in person, **AND**
 - b. Delivering or mailing a **copy** of your response to the Plaintiff's Attorney/Plaintiff at the following address: John D. Blaisdell, Esq. 2 Lakeshore Center, 3rd floor, Bridgewater, MA 02346
3. **What to include in your response.** An "Answer" is one type of response to a Complaint. Your Answer must state whether you agree or disagree with the fact(s) alleged in each paragraph of the Complaint. Some defenses, called affirmative defenses, must be stated in your Answer or you may lose your right to use them in court. If you have any claims against the Plaintiff (referred to as **counterclaims**) that are based on the same facts or transaction described in the Complaint, then you must include those claims in your Answer. Otherwise, you may lose your right to sue the Plaintiff about anything related to this lawsuit. If you want to have your case heard by a jury, you must **specifically** request a jury trial in your Answer or in a written demand for a jury trial that you must send to the other side and file with the court no more than 10 days after sending your Answer. You can also respond to a Complaint by filing a "**Motion to Dismiss**," if you believe that the complaint is legally invalid or legally insufficient. A Motion to Dismiss must be based on one of the legal deficiencies or reasons listed under **Mass. R. Civ. P. 12**. If you are filing a Motion to Dismiss, you must also comply with the filing procedures for "Civil Motions" described in the rules of the Court in which the complaint was filed, available at www.mass.gov/courts/case-legal-res/rulesofcourt.

A true copy test:

Joseph P. Casey
Deputy Sheriff Suffolk County

12-29-20

4. **Legal Assistance.** You may wish to get legal help from a lawyer. If you cannot get legal help, some basic information for people who represent themselves is available at www.mass.gov/courts/selfhelp.
5. **Required information on all filings:** The "civil docket number" appearing at the top of this notice is the case number assigned to this case and must appear on the front of your Answer or Motion to Dismiss. You should refer to yourself as the "Defendant."

Witness Hon. Judith Fabricant, Chief Justice on _____, 20²⁰. (SEAL)

Marc J. Santos,
Clerk/Magistrate

Note: The number assigned to the Complaint by the Clerk-Magistrate at the beginning of the lawsuit should be indicated on the summons before it is served on the Defendant.

PROOF OF SERVICE OF PROCESS

I hereby certify that on _____, 20____, I served a copy of this summons, together with a copy of the complaint in this action, on the defendant named in this summons, in the following manner (See Mass. R. Civ. P. 4 (d)(1-5)):


Dated: _____, 20____.

Signature: _____

N.B. TO PROCESS SERVER:

PLEASE ENTER THE DATE THAT YOU MADE SERVICE ON THE DEFENDANT IN THIS BOX - BOTH ON THE ORIGINAL SUMMONS AND ON THE COPY OF THE SUMMONS SERVED ON THE DEFENDANT.

--

CIVIL TRACKING ORDER (STANDING ORDER 1- 88)	DOCKET NUMBER 2073CV00836	Trial Court of Massachusetts The Superior Court 
CASE NAME: Adams, Richard vs. American Honda Motor Company, Inc		Marc J. Santos, Clerk of Court Bristol County
TO: American Honda Motor Company, Inc 1919 Torrance Boulevard Torrance, CA 90501		COURT NAME & ADDRESS Bristol County Superior Court - New Bedford 441 County Street, 1st floor New Bedford, MA 02740

TRACKING ORDER - A - Average

You are hereby notified that this case is on the track referenced above as per Superior Court Standing Order 1-88. The order requires that the various stages of litigation described below must be completed not later than the deadlines indicated.

STAGES OF LITIGATION**DEADLINE**

	SERVED BY	FILED BY	HEARD BY
Service of process made and return filed with the Court		03/04/2021	
Response to the complaint filed (also see MRCP 12)		04/05/2021	
All motions under MRCP 12, 19, and 20	04/03/2021	05/03/2021	06/02/2021
All motions under MRCP 15	01/28/2022	02/28/2022	02/28/2022
All discovery requests and depositions served and non-expert depositions completed	11/24/2022		
All motions under MRCP 56	12/26/2022	01/23/2023	
Final pre-trial conference held and/or firm trial date set			05/23/2023
Case shall be resolved and judgment shall issue by			12/04/2023

The final pre-trial deadline is not the scheduled date of the conference. You will be notified of that date at a later time.
Counsel for plaintiff must serve this tracking order on defendant before the deadline for filing return of service.
This case is assigned to

DATE ISSUED 12/04/2020	ASSISTANT CLERK Dina Swanson	PHONE (508)996-2051
----------------------------------	--	-------------------------------

COMMONWEALTH OF MASSACHUSETTS

BRISTOL, SS.

SUPERIOR COURT DEPARTMENT
OF THE TRIAL COURT
CIVIL ACTION NO.:

RICHARD ADAMS
Plaintiff

v.

AMERICAN HONDA MOTOR
COMPANY, INC.,
Defendant

COMPLAINT AND JURY DEMAND

FACTS & PARTIES

1. The Plaintiff, Richard Adams, is an individual residing at 10 Point Street, New Bedford, Bristol County Massachusetts.
2. The Defendant, American Honda Motor Company, Inc., is a foreign corporation organized under the laws of the State of California, having a principal place of business located at 1919 Torrance Boulevard, Torrance, Los Angeles County, California.
3. Pursuant to M.G.L. c. 223A § 3, jurisdiction over the person of the Defendant, American Honda Motor Co., Inc., is based on the following:
 - a. The Defendant's transacting business in the Commonwealth of Massachusetts;
 - b. The Defendant's contracting to supply services or things in the Commonwealth of Massachusetts;
 - c. The Defendant's causing tortious injury by an act or omission in the Commonwealth of Massachusetts; and/or
 - d. The Defendant's causing tortious injury in the Commonwealth of Massachusetts by an act or omission outside the Commonwealth of Massachusetts, along with its regularly doing business or soliciting business, or engaging in any other persistent course of conduct to derive in substantial revenue from goods used or consumed or services rendered in the Commonwealth of Massachusetts, and as set forth in M.G.L. c.223A § 3.
4. On or before April 14, 2019, the Defendant, American Honda Motor Co., Inc., designed developed, marketed, manufactured, distributed, transferred and / or sold a Honda HRX217HXA lawnmower (herein after "Lawnmower").
5. On or before April 14, 2019, the Plaintiff, Richard Adams, purchased the Lawnmower.

6. On or about April 14, 2019, the Plaintiff attempted to place the Lawnmower's collapsible handlebars in the upright operating position and suffered severe personal injuries when the handlebars suddenly and forcefully collapsed back down onto the Plaintiff's right hand.

THE PLAINTIFF, RICHARD ADAMS' CLAIM AGAINST THE DEFENDANT,
AMERICAN HONDA MOTOR, CO., INC.

COUNT I – NEGLIGENCE

7. The Plaintiff repeats and reavers paragraphs 1-6 as if set forth fully herein.
8. The culpability and the negligence of the Defendant, American Honda Motor, Co., Inc., was the proximate cause of the Plaintiff's injuries as follows:
 - a. The Defendant negligently and inadequately marketed and sold an inherently unsafe product;
 - b. The Defendant negligently/inadequately designed, developed, manufactured, tested, inspected, promoted, marketed, sold, and/or distributed the Lawnmower;
 - c. The Defendant failed to give adequate warnings or instructions relative to using the product and/or of the risk or likelihood of injury involved in using the product, specifically as they relate to the Lawnmower's collapsible handlebars;
 - d. The Defendant negligently placed in the channels of trade a product that which it knew or with reasonable care should have known was dangerous and defective in nature and design or in a dangerous and defective condition and negligently placed said product in the channels of trade in a manner which the Defendant foresaw, or in the exercise of due care should have foreseen, would probably carry said product into contact with persons such as the Plaintiff and negligently failed to use reasonable care to prevent injury to such persons including the Plaintiff.
9. As a direct and proximate result of the Defendant's negligence, the Plaintiff was caused to suffer severe personal injuries, as well as pain and suffering, has incurred and continues to incur expenses for his medical care and treatment, and has suffered and continues to suffer an impairment to his ability to enjoy life and attend to his usual activities.
10. At all material times, the Plaintiff was in the exercise of due care and free of all comparative negligence.
11. The Plaintiff has satisfied all conditions precedent to the bringing of this cause of action.

WHEREFORE, the Plaintiff, Richard Adams, demands judgment against the defendant, American Honda Motors Co., Inc., in the amount of his damages, together with interest, costs and reasonable attorneys' fees.

COUNT II – BREACH OF WARRANTY

12. The Plaintiff repeats and reavers paragraphs 1-11 as if set forth fully herein.

13. The Defendant, American Honda Motor Co., Inc., expressly and impliedly warranted that the product was safe, merchantable and fit for the ordinary use for which it was intended.
14. The Defendant, in permitting, allowing, and/or suffering the aforesaid defective, dangerous, and hazardous product to be sold, breached its express and implied warranties related to merchantability, marketability, and fitness for a particular intended use and purpose.
15. The Plaintiff relied on the warranties made by the Defendant and was caused to suffer severe personal injuries, as well as pain and suffering, has incurred and continues to incur expenses for his medical care and treatment, and has suffered and continues to suffer an impairment to his ability to enjoy life and attend to his usual activities.
16. At all material times, the Plaintiff was in the exercise of due care and free of all comparative negligence.
17. The Plaintiff has satisfied all conditions precedent to the bringing of this cause of action.

WHEREFORE, the Plaintiff, Richard Adams, demands judgment against the defendant, American Honda Motors Co., Inc., in the amount of his damages, together with interest, costs and reasonable attorneys' fees.

**THE PLAINTIFF, RICHARD ADAMS, CLAIMS AND DEMANDS A TRIAL BY JURY
ON ALL ISSUES SO TRIABLE.**

Respectfully Submitted,
The Plaintiff,
By his Attorney,

/s/ John D. Blaisdell

John D. Blaisdell
BBO#: 652423
KECHES LAW GROUP, P.C.
2 Lakeshore Center, Third Floor
Bridgewater, MA 02324
Tel. No.: (508) 822-2000
Email: jblaisdell@kecheslaw.com

Dated: 12/4/20